

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

|                               |   |                                   |
|-------------------------------|---|-----------------------------------|
| In re VEECO INSTRUMENTS, INC. | : | X                                 |
| SECURITIES LITIGATION         | : | Case No.: 7:05-md-01695 (CM)(GAY) |
|                               |   | X                                 |
|                               |   | X                                 |
| THIS DOCUMENT RELATES TO      | : | X                                 |
| ALL ACTIONS                   | : |                                   |
|                               |   | X                                 |

**DECLARATION OF PHYLLIS M. PARKER IN SUPPORT OF LEAD PLAINTIFF'S  
MEMORANDUM OF LAW IN OPPOSITION OF DEFENDANTS'  
MOTION IN LIMINE TO PRECLUDE TESTIMONY OF ROBERT W. BERLINER**

Phyllis M. Parker, hereby declares as follows:

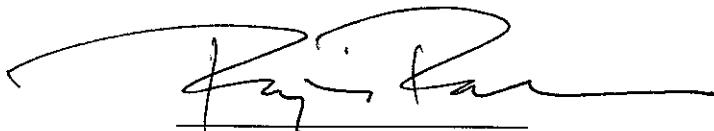
I, Phyllis M. Parker, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a lawyer of the law firm Berger & Montague, P.C., lead counsel for Lead Plaintiff in this litigation.
2. I submit this Declaration in Support of Lead Plaintiff's Memorandum of Law in Opposition of Defendants' Motion *In Limine* to Preclude Testimony of Robert W. Berliner.
3. Attached hereto as Exhibits are true and correct copies of the following, which are being filed *under seal* pursuant to the Confidentiality Order dated May 16, 2006:

| <b><u>Exhibit No.</u></b> | <b><u>Description</u></b>   |
|---------------------------|---|
| A                         | Preliminary Expert Report of Robert W. Berliner, CPA, CFE, dated April 11, 2007 |
| B                         | Excerpts from deposition transcript of Robert W. Berliner, dated June 19, 2007  |
| C                         | Veeco Instruments Inc. Earnings Conference Call, dated March 16, 2005           |
| D                         | Supplemental Report of Robert W. Berliner, CPA, CFE, dated June 12, 2007        |

- E Excerpts from deposition transcript of David G. Bonagura, dated April 18, 2007
- F Excerpts from deposition transcript of Gary Reifert, dated February 13, 2007
- G VECO 0097504 and VECO 0148749
- H Affidavit of John F. Rein, Jr. In Support of Defendants' Opposition to Plaintiffs' Motion to Compel Production of Documents Concerning Veeco's Internal Investigation

Dated: June 26, 2007



Phyllis M. Parker

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